

MINUTES
MALIBU PLANNING COMMISSION
REGULAR MEETING
OCTOBER 17, 2016
COUNCIL CHAMBERS
6:30 P.M.

CALL TO ORDER

Chair Mazza called the meeting to order at 6:30 p.m.

ROLL CALL

The following persons were recorded in attendance by the Recording Secretary:

PRESENT: Chair John Mazza; Vice Chair Jeffrey Jennings; and Commissioners David Brotman and Mikke Pierson

ABSENT: Commissioner Roohi Stack

ALSO PRESENT: Bonnie Blue, Planning Director; Trevor Rusin, Assistant City Attorney; Adrian Fernandez, Senior Planner; Richard Mollica, Senior Planner; Robert C. May III, Contract Counsel; and Kathleen Stecko, Recording Secretary

PLEDGE OF ALLEGIANCE

Commissioner Pierson led the Pledge of Allegiance.

REPORT ON POSTING OF AGENDA

Recording Secretary Stecko reported that the agenda for the meeting was properly posted on October 7, 2016, with the amended agenda properly posted on October 11, 2016.

APPROVAL OF AGENDA

MOTION Commissioner Pierson moved and Commissioner Brotman seconded a motion to approve the agenda, continuing Item Nos. 4.B. and 5.A. to a date uncertain. The motion carried unanimously.

ITEM 1 CEREMONIAL/PRESENTATIONS

None.

ITEM 2.A. PUBLIC COMMENTS

None.

ITEM 2.B. COMMISSION / STAFF COMMENTS

In response to Commissioner Pierson, Senior Planner Fernandez provided an update on the water tank project at 5723 Busch Drive. Planning Director Blue stated the “Big Clay” sculpture was set for removal by November 1, 2016, and provided an update on the Paradise Cove project application.

In response to Chair Mazza, Planning Director Blue provided an update on the curb line near the Trancas Market shopping center.

Planning Director Blue provided an update on the upcoming Zoning Ordinance Revisions and Code Enforcement Subcommittee (ZORACES) meeting.

ITEM 3 CONSENT CALENDAR

Item No. 3.A.1. was pulled by the public, and Item No. 3.B.2. was pulled by Commissioner Pierson.

CONSENSUS

By consensus, the Commission approved the Consent Calendar, except Item Nos. 3.A.1. and 3.B.2.

The Consent Calendar consisted of the following item:

B. New Items

1. Approval of Minutes

Recommended Action: Approve the minutes for the September 19, 2016 Regular Planning Commission meeting.

Staff contact: Planning Director Blue, 456-2489 ext. 258

The following items were pulled from the Consent Calendar for individual consideration:

A. Previously Discussed Items

1. General Plan consistency finding regarding proposed vacation of a portion of the Rambla Pacifico public right-of-way easement (Continued from September 19, 2016)

Location: 3849 Rambla Pacifico

APN: 4451-022-007

Easement Holder: City of Malibu

Applicant: Neil Strum

Case Planner: Senior Planner Mollica, 456-2489 ext. 346

Recommended Action: Receive and file.

Planning Director Blue presented the staff report.

Disclosures: None.

As there were no questions for staff, Chair Mazza opened public comment.

Speaker: Neil Strum.

As there were no other speakers present, Chair Mazza closed public comment and returned the matter to the table for discussion.

CONSENSUS

By consensus, the Commission received and filed the report.

B. New Items

2. Administrative Coastal Development Permit Amendment No. 16-006 – An application to amend Administrative Coastal Development Permit No. 13-071 to add a condition regarding road repair resulting from construction damage

Location: 6075 Murphy Way, not within the appealable coastal zone

APN: 4467-004-013

Owner: Daniel Thompson

Case Planner: Senior Planner Hawner, 456-2489 ext. 276

Recommended Action: Receive and file the Planning Director's report on Administrative Coastal Development Permit Amendment No. 16-006.

Planning Director Blue presented the staff report.

Disclosures: None.

The Commission directed questions to staff.

As there were no further questions for staff, Chair Mazza opened public comment.

Speaker: Vitus Matare.

As there were no other speakers present, Chair Mazza closed public comment. No further discussion occurred.

CONSENSUS

By consensus, the Commission received and filed the Planning Director's report. The motion carried unanimously.

ITEM 4 CONTINUED PUBLIC HEARINGS

- A. Wireless Telecommunications Facility No. 16-001 and Site Plan Review No. 16-026 – An application for the installation of a new wireless telecommunications facility within the public right-of-way (Continued from September 19, 2016)

Location: 29970.5 Harvester Road

Nearest APN: 4469-013-021

Owner: City of Malibu Public Right-of-Way

Applicant: Carver Chiu of Crown Castle NG West, Inc.

Case Planner: Senior Planner Fernandez, 456-2489 ext. 482

Recommended Action: Adopt Planning Commission Resolution No. 16-59 determining the project is categorically exempt from the California Environmental Quality Act, and approving Wireless Telecommunications Facility No. 16-001 and Site Plan Review No. 16-026 to allow the installation of a new wireless telecommunications facility, including a new antenna attached to an existing 34-foot tall utility pole at a height of 38 feet, 8 inches and electrical support equipment in a new underground vault with two above ground vents, located in the public right-of-way at 29970.5 Harvester Road (Crown Castle NG West, Inc.).

Senior Planner Fernandez and Contract Counsel May presented the staff report.

Disclosures: None.

The Commission directed questions to staff.

As there were no further questions for staff, Chair Mazza opened the public hearing.

Speakers: Michael Shonafelt, Dana Christiaansen (Cynthia Christiaansen and Norman Haynie deferred time to Dana Christiaansen), Bob LaMasney (Cheryl LaMasney deferred time to Bob LaMasney), and Kirk Odian.

Michael Shonafelt provided rebuttal to the public comment.

As there were no other speakers present, Chair Mazza closed the public hearing and returned the matter to the table for discussion.

The Commission directed questions to staff, Bob LaMasney, Kirk Odian, and Dana Christiaansen.

MOTION Commissioner Brotman moved and Vice Chair Jennings seconded a motion to adopt Planning Commission Resolution No. 16-59 determining the project is categorically exempt from the California Environmental Quality Act, and approving Wireless Telecommunications Facility No. 16-001 and Site Plan Review No. 16-026 to allow the installation of a new wireless telecommunications facility, including a new antenna attached to an existing 34-foot tall utility pole at a height of 38 feet, 8 inches and electrical support equipment in a new underground vault with two above ground vents, located in the public right-of-way at 29970.5 Harvester Road (Crown Castle NG West, Inc.).

The Commission discussed the motion.

The question was called and the motion carried unanimously.

- B. Coastal Development Permit No. 14-003, Variance Nos. 16-010 and 16-023, and Minor Modification No. 15-016 – An application for a new single-family beachfront residence and associated development (Continued from September 19, 2016)

Location: 25306 Malibu Road, within the appealable coastal zone
APN: 4459-016-013
Owner: Chambers Creek, LLC
Case Planner: Associate Planner Colvard, 456-2489 ext. 234
Recommended Action: Continue this item to a date uncertain.

The item was continued to a date uncertain upon approval of the agenda.

ITEM 5 NEW PUBLIC HEARINGS

- A. Coastal Development Permit Amendment No. 16-007, Conditional Use Permit Amendment No. 16-001, and Variance No. 16-020 – An application to amend Coastal Development Permit No. 13-072 and Conditional Use Permit No. 14-001, including a variance to reduce the required parking spaces and allow the use of a valet

Location: 22333 Pacific Coast Highway, within the appealable coastal zone
APN: 4452-024-005
Owner: KW/LF – Malibu Sands, LLC
Tenant: Blue Plate Taco
Case Planner: Associate Planner Colvard, 456-2489 ext. 234
Recommended Action: Adopt Planning Commission Resolution No. 16-79 denying, without prejudice, Coastal Development Permit Amendment No. 16-007, Conditional Use Permit Amendment No. 16-001, and Variance No. 16-020 for the operation of a restaurant with increased service area, increased seating capacity, and a full alcohol license including a variance to reduce the required parking spaces and allow use of a valet system at an existing commercial shopping center (Malibu Sands Shopping Center) in the Community Commercial zoning district located at 22333 Pacific Coast Highway (KW/LF – Malibu Sands, LLC).

The item was continued to a date uncertain upon approval of the agenda.

ITEM 6 OLD BUSINESS

- A. Status of Conditional Use Permit No. 13-004 for the Operation of Restaurant Located at 26023 Pacific Coast Highway (Ranch at Solstice Canyon)

Recommended Action: Receive and file.

Case Planner: Senior Planner Mollica, 456-2489 ext. 346

Senior Planner Mollica presented the staff report.

Disclosures: Chair Mazza.

The Commission directed questions to staff.

MOTION Chair Mazza moved and Commissioner Pierson seconded a motion to: 1) receive and file the report; and 2) directed staff to provide a report at the first Regular Planning Commission meeting in February, 2017 on the status of Conditional Use Permit No. 13-004 unless a conditional use permit amendment application is submitted prior. The motion carried unanimously.

ITEM 7 NEW BUSINESS

None.

ITEM 8 PLANNING COMMISSION ITEMS

None.

ADJOURNMENT

CONSENSUS

By consensus, the meeting was adjourned at 8:19 p.m.

Approved and adopted by the Planning Commission
of the City of Malibu on November 21, 2016.



JOHN MAZZA, Chair

ATTEST:



KATHLEEN STECKO, Recording Secretary